

REMARKS

Claims 1, 4-5, 10, and 12 remain in this application. Claims 2-3, 6-9, and 11 were previously canceled. Reconsideration of the application is requested.

The substitute specification submitted together with this Reply is considered to comply with the requirements of 35 U.S.C. § 112, first paragraph.

The claim amendments above are made following consideration of the comments provided by the Examiner in sections 2-4 on pages 2-7 of the Office Action. All of the claims remaining in this application are considered to be in proper form and to comply with the requirements of 35 U.S.C. § 112, second paragraph.

Independent claims 1, 10, and 12 are rejected under 35 U.S.C. § 102 as anticipated by either the Daferner publication or the Bergeon patent, both of record. Reconsideration is requested.

The Daferner publication concerns application of a "gene" algorithm to model mix quality, which is a total valuation function, by introducing distance and density for optimizing a total production cost. According to the present invention, as described from line 26 on page 40 to line 17 on page 48, and as represented in Figures 16-20, the order of vehicle introduction to the last process or a prior process is determined using lead-time shifting to alter the number of vehicles remaining and the number of vehicles accumulating between processes. This feature of the present invention is reflected in each of independent claims 1, 10, and 12 above, and is not present in the production method forming the subject matter of the Daferner document.

On page 9 of the Office Action, the Examiner mentions shifting of orders 3, 4, 5, for air conditioning, and refers specifically to the first paragraph on page 13 and the second paragraph on page 11, concluding that such shifting corresponds to "lead-time shifting" as defined by claims 1, 10, and 12. The shifting of orders 3, 4, 5 for air conditioning noted, however, refers to movement to a buffer station in order to decrease density, and not to determination of the order of vehicle introduction to the last process or a prior process is determined using lead-time shifting to alter the number of vehicles remaining and the number of vehicles accumulating between processes as claims 1, 10, and 12 above reflect. It is again submitted that this feature is not present in the production method forming the subject matter of the Daferner document, and it is requested that the rejection of claims 1, 10, and 12 based on the Daferner document should be withdrawn. The rejection of claims 4 and 5 based on the Daferner document should be withdrawn as well, since claims 4 and 5 depend on claim 1.

The Bergeon patent concerns scheduling and sequencing vehicles for manufacture by considering a rotation position number so that the penalty value, which is a priority value of the hard constraint on fixed pattern production, soft constraint, and sum total value of an assessment value may serve as a minimum. The Bergeon patent does not disclose determination of the order of vehicle introduction to the last process or a prior process using lead-time shifting to alter the number of vehicles remaining and the number of vehicles accumulating between processes as claims 1, 10, and 12 above reflect. On page 14 of the Office Action, the Examiner sets forth a conclusion that swapping of

vehicles in the Bergeon sequence corresponds to "lead-time shifting" as recited in claims 1, 10, and 12 of the present application. The Bergeon method, however, concerns replacement of the two vehicles, and, again, is not concerned with determination of the order of vehicle introduction to the last process or a prior process using lead-time shifting to alter the number of vehicles remaining and the number of vehicles accumulating between processes as claims 1, 10, and 12 above define. It is requested that the rejection of claims 1, 10, and 12 based on the Bergeon patent should be withdrawn. The rejection of claims 4 and 5 based on the Bergeon patent should be withdrawn as well, since claims 4 and 5 depend on claim 1.

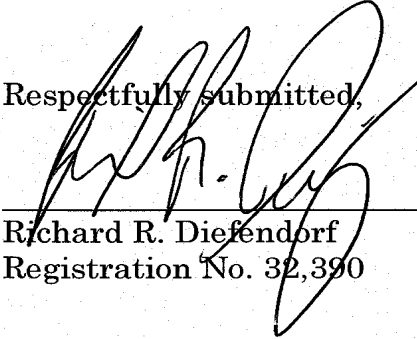
It is respectfully submitted that all claims of this application as they appear above are patentable over the documents relied on by the Examiner for reasons discussed, and that this application is now in allowable condition.

If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an extension of time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056205.55398US).

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Respectfully submitted,



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